

REMARKS

Reconsideration and withdrawal of all grounds of objection and rejection, are respectfully requested in light of the above amendment and the following remarks. Claims 1-14, as shown above, remain pending herein.

Summary of the Rejections:

(1) Claims 1, 12 and 13 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Lang et al. (U.S. 5,715,268, hereafter “Lang”).

(2) Claims 2-11 and 14 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious in view of Lang.

Applicants Traversal:

Claims 1 and 12 have been amended to clarify that the claimed invention includes an active waveguide but not a passive one, so as to reduce coupling degradation to the gain-clamped amplifier.

Applicants respectfully submit the specification clearly provides support for previously made amendments to the claims at least at page 7, lines 8-11, where it is disclosed that the SOA according to the present invention does not require a passive waveguide, so there is no loss and no reflection caused by optical coupling between an active waveguide and a passive waveguide.

The drawings show and the instant specification at page 6, lines 17-20 discloses the partial formation of a grating at both end parts under the active waveguide.

In contrast, the drawing (Fig. 5a) of Lang shows two gratings at one end (not two), and

arranged both above and below the active waveguide.

Accordingly, it is respectfully submitted that none of the instant claims are anticipated by Lang, which at best discloses grating at only one end of a waveguide both above and below the waveguide (Fig. 5a). Nor would a person of ordinary skill in the art at the time of invention find any suggestion or motivation from Lang such that any of the claims would have been obvious to a person of ordinary skill in the art.

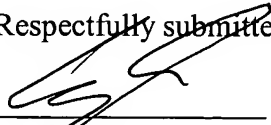
Accordingly, it is respectfully submitted that base claims 1 and 12 are allowable, and all claims dependent therefrom are believed to be allowable at least for dependency on an allowable claim and because of an independent basis for patentability. Reconsideration and withdrawal of all grounds of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all grounds of rejection of the instant claims have been overcome. A Notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below. If there are any fees due and owing, please charge Applicants Deposit Account on file 502-507.

Date: 8/13/04

Respectfully submitted,




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(Signature and Date)